



## **CITY OF HAYWARD**

### **AGENDA REPORT**

AGENDA DATE 06/04/02

AGENDA ITEM 8

WORK SESSION ITEM           

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Hearing on Report and Assessment for Weed Abatement Fees Past Due

#### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution confirming the report and assessment for overdue weed abatement fees for the 2001 calendar year, and authorizing the assessment to become a lien against the properties if not paid on or before July 22, 2002.

#### **BACKGROUND:**

Weed, rubbish and litter abatement is carried out for both aesthetic and fire prevention purposes. Work consists of removal of weeds, rubbish, debris, and litter from both privately-owned and City-owned properties.

For a first-time violation, there is no charge for the compliance inspection process, if corrections have been satisfactorily completed by the indicated reinspection date. However, if the violation is not corrected, then a \$200 fee is assessed based on the standard cost for staff time and materials to process a typical violation. This includes the cost of both the initial inspection and the compliance inspection, site photographs, researching property ownership records, sending abatement notices, preparing and maintaining the case file, internal vehicle charges, et cetera. For a repeated violation of the same ordinance within 12 months by the same property owner, an inspection fee of \$325 (\$200 plus a \$125 penalty fee) is charged. For those properties that are abated by the City's contractor, a City fee of \$100 is imposed, in addition to the contractor charges, to cover the City's costs of verifying the adequacy of the contractor's work and processing the invoice. If it is necessary to place a lien on a property to recover unpaid inspection or contractor's fees, an additional \$100 fee is levied to cover City costs.

As in past years, in conjunction with the annual City-wide weed survey done in April, a reminder notice was mailed to those property owners who had received a Notice to Abate the previous year, whether the owner corrected the violation or the City's contractor was required to do so. Notices were also sent throughout the year to owners of property found to be in violation that had not previously received a notice in conjunction with the annual survey.

As of this writing, overdue bills affecting 16 properties (including contractor costs) amount to approximately \$5,764. Amounts currently due include a \$5 per month late charge and 1% interest per month on charges more than thirty days past due.

The purpose of tonight's hearing is to consider the proposed report and assessment list, as well as any objections from property owners. After concluding the hearing, Council may choose to modify the proposed charges and assessment list as appropriate, after which the list will be officially confirmed by resolution.

The unpaid charges, plus any administrative costs of the City and County, will then become a lien on the property and will appear on the November tax bill. When the property taxes are paid, or when the property is sold or refinanced, the County remits funds to the City. Abatement charges constitute a special assessment against the property. However, sometimes it is not possible to establish a lien to collect an overdue bill because the current owner was not the party responsible for the debt. In these instances, the Finance Director pursues collection of the debt from the responsible individual through the City Collection Officer, collection agency, or litigation as appropriate.


#### **Public Notice**

Notice of this hearing was published in the Daily Review on May 21 and May 25, 2002. A notice of this hearing was also sent by certified mail to each property owner, mortgagee or beneficiary indicated on the current assessor's roll. In addition, staff sent a courtesy letter to all those affected in April, informing them of the impending proceedings and encouraging them to pay their bills to minimize fees and be removed from the proposed assessment list.

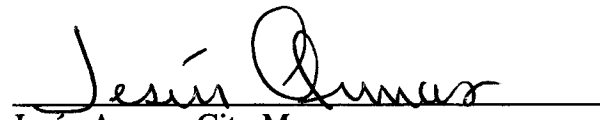
Prepared by:

  
\_\_\_\_\_  
William Mork, Senior Community  
Preservation Inspector

Recommended by:

  
\_\_\_\_\_  
Sylvia Ehrenthal, Director of Community  
and Economic Development

Approved by:

  
Jesús Armas, City Manager

Exhibits: A – 2001 Proposed Weed Abatement Assessment List  
Resolution

REPORT ID: FMIS-AR851  
DEPARTMENT: WEED ABATEMENT  
INVOICES OVER 30 DAYS PAST DUE

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/29/2002  
PAGE NO. 1 TIME: 10:53

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
107857	01/05/2001	078C 0440 005 02	AKRAM NAEEM 308 VALLE VISTA AV HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WN00-0971; WEED INSPECTION FEES @ 308 VALLE VISTA AV. APN 078C-0440-005-02. QUESTIONS ON FEES CALL KEN JEFFERY 510/583-4173. SEE BELOW TO PAY.	308 VALLE VISTA 94544	212.05	4630 001 46
17229 AKRAM, NAEEM					TOTAL	212.05
113910	11/29/2001	444 0051 124 00	ANDERSON AARON R P O BOX 361139 MILPITAS CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA01-0990; WEED INSPECTION & ABATEMENT FEES @ 25134 MUIR ST, HAYWARD. APN 444-0051-124. CALL 510 583-4172 FOR JOANNE. SEE PAYMENT INFO BELOW.	25134 MUIR ST 95036	696.00	4630 001 46
19370 ANDERSON, AARON					TOTAL	696.00
111017	06/06/2001	078G 2738 031 00	BROWN EDWARD E 8420 W ADAMS PASCO WA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA01-0420; WEED ABATEMENT/INSPECTION FEE AT 31625 MEDINAH ST, HAYWARD CA; APN 078G-2738-031-00 QUESTIONS CALL MARY 510/583-4173; PAY INFO BELOW.	31625 MEDINAH ST 99301	601.91	4630 001 46
11127 BROWN, EDWARD E & KLEIN C					TOTAL	601.91
113269	10/17/2001	445 0120 004 00	BULHOES GEORGE 19400 PARSONS AV CASTRO VALLEY CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-0846; WEED INSPECTION/ABATEMENT FEES ON TIEGEN DR, HAYWARD. APN 445-0120-004. QUESTIONS CALL RAMONA 510/583-4138. SEE BELOW FOR PAY INFO.	TIEGEN DR 94546	210.03	4630 001 46
19240 BULHOES, GEORGE					TOTAL	210.03
112417	08/13/2001	445 0130 057 00	DANIELS DORIS L 1137 TIEGEN DR HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION	1137 TIEGEN DR 94542	212.05	4630 001 46

CITY OF HAYWARD  
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INVOICE PARCEL INFORMATIONDEPARTMENT: WEED ABATEMENT  
INVOICES OVER 30 DAYS PAST DUE

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BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
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CASE WN01-0849; WEED INSPECTION FEE @ 1137 TIEGEN DR, HAYWARD. APN 445-0130-057-00. QUESTIONS CALL RAMONA AT 510/583-4138. SEE BELOW TO PAY.						
113930	11/29/2001	081D 1665 001 03	DANIELS DORIS L 1137 TIEGEN DR HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-1174 WEED INSPECTION FEE; 26525 PARKSIDE DR. HAYWARD; APN 081D-1665-001-03. QUESTIONS CALL ROBBIE 510/583-4171. SEE PAYMENT INFO BELOW.	26525 PARKSIDE DR 94542	205.00	4630 001 46
12130 DANIELS, DORIS L					TOTAL	417.05
112830	09/14/2001	455 0024 032 00	GARCEZ GEORGE & RHEA & JOSE P & MARY L 2001 BOCA RATON ST HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-0819; WEED INSPECTION & ABATEMENT FEE AT 2001 BOCA RATON ST. APN 455-0024-032-00. QUESTIONS CALL JILL 510/583-4170. SEE PAYMENT INFO BELOW.	2001 BOCA RATON ST 94545	357.49	4630 001 46
9593 GARCEZ, GEORGE, RHEA, JOSE; MARY					TOTAL	357.49
112889	09/26/2001	455 0020 059 00	LACK ANDREW F 2001 CHIPLAY CT HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA01-1286; WEED INSPECTION FEE; 2001 CHIPLAY CT; APN 455-0020-050. QUESTIONS CALL 510/583-4170 JILL HADDAN. SEE BELOW OF PAYMENT INFO.	2001 CHIPLAY CT 94545	212.05	4630 001 46
11262 LACK, ANDREW F					TOTAL	212.05
113323	10/17/2001	445 0130 022 00	LEVINSON DONNA L 24511 MARIE DR HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-0848; WEED INSPECTION FEES @ 24511 MARIE DR, HAYWARD. APN 445-0130-022. QUESTIONS CALL 510/ 583-4138 FOR RAMONA. SEE PAYMENT INFO BELOW.	24511 MARIE DR 94542	379.71	4630 001 46
13166 LEVINSON, DONNA L.					TOTAL	379.71

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BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			
113973	11/29/2001	427 0006 010 01	LIU WEN B & CHIAO NIEN P O BOX 919 CUPERTINO CA	22775 2ND ST 95015	205.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-1149; WEED INSPECTION FEES; 22775 SECOND ST, HAYWARD; APN 427-0006-010-01. QUESTIONS CALL ROBBIE 510/583-4171. SEE PAYMENT INFO BELOW.						
19373 LIU, WEN B & CHIAIAO, NEN					TOTAL	205.00
112462	08/13/2001	427 0006 024 02	NAZARETH TERESA 21550 FOOTHILL BL HAYWARD CA	1103 D ST 94541	481.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-0872, WEED INSPECTION FEE @ 1103 "D" ST. HAYWARD; APN 427-0006-024-02. QUESTIONS CALL ROBBIE AT 510/583-4171. SEE BELOW FOR PAYMENT INFORMATION						
12213 NAZARETH, TERESA					TOTAL	481.00
113995	11/29/2001	432 0040 045 01	O'CONNELL BARBARA J & PATRICK A 4715 SCARLET SAGE DR PUEBLO CO	22680 HAPPYLAND 81001	205.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-1120; WEED INSPECTION FEES @ 22680 HAPPY LAND AV, HAYWARD. APN 432-0040-045-01. QUESTIONS CALL JOANNE 510/583-4172. PAYMENT INFO SHOWN BELOW						
11442 O'CONNELL, BARBARA & PATRICK					TOTAL	205.00
112463	08/13/2001	431 0028 018 00	OMEARA JENNIE R 29083 MISSION BL HAYWARD CA	391 C ST 94544	872.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN01-0727 WEED INSPECTION & ABATEMENT FEES AT 29083 MISSION BL; APN 431-0028-018. QUESTIONS: 510 583-4172 FOR JOANNE. SEE BELOW FOR PAYMENT INFO.						
15360 OMEARA, JENNIE					TOTAL	872.00
107949	01/05/2001	081D 1901 007 00	SORENSEN CHRISTIAN E 27751 FALLEN LEAF CT HAYWARD CA	27751 FALLEN LEAF CT 94542	205.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION						

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
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PAGE NO. 4 TIME: 10:53DEPARTMENT: WEED ABATEMENT  
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BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
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			CASE WN00-1080; WEED INSPECTION FEE @ 27751 FALLEN			
			LEAF CT. APN 081D-1901-007-00. QUESTIONS ON FEES			
			CALL ROBBIE BEIENEMANN 510/583-4171.			
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11386				TOTAL	205.00	
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116137	04/15/2002	455 0048 006 00	WONG PAUL J	27418 SLEEPY HOLLOW	498.00	4630 001
			WONG, PAUL J/PACIFICA	94044		46
			205 GOLDEN BAY DR PACIFICA CA			
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION,			
			CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION			
			CASE WN01-0822; WEED INSPECTION AND CONTRACTOR			
			ABATEMENT FEES AT 27418 SLEEPY HOLLOW AV, HAYWARD.			
			APN 455-0048-006-00. QUESTIONS CALL 510/583-4174.			
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14164				TOTAL	498.00	
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113387	10/17/2001	445 0150 052 00	ZAHARI MATHEW	24874 MISSION BL	212.05	4630 001
			ZAHARI, MATHEW	94541		46
			22196 MISSION BL HAYWARD CA			
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION,			
			CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION			
			CASE WN01-0960; WEED INSPECTION FEE; 24874 MISSION			
			BLVD, HAYWARD; APN 445-0150-052-00. QUESTIONS CALL			
			510/583-4138 RAMONA. PAYMENT INFO BELOW.			
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11703				TOTAL	212.05	
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				TOTAL	5,764.34	
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\*\*\*\*\* END OF REPORT \*\*\*\*\*

**DRAFT**

**HAYWARD CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_**

**Introduced by Council Member \_\_\_\_\_**

**RESOLUTION CONFIRMING THE REPORT OF THE  
ENFORCEMENT OFFICER FOR WEED, RUBBISH, AND  
LITTER ABATEMENT FROM CERTAIN PROPERTIES IN  
THE CITY OF HAYWARD IN CONNECTION WITH THE  
WEED ABATEMENT PROGRAM FOR 2001**

WHEREAS, in connection with the 2001 Weed Abatement Program, the Enforcement Officer has rendered an itemized report in writing to this Council showing the cost of removing weeds, rubbish, refuse, and litter from certain properties in the City of Hayward described in the report, all as required by section 4-1.62 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 8 p.m. on Tuesday, May 7, 2002, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 4-1.63 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and all comments with respect thereto; and

WHEREAS, at the time and place if the hearing, evidence of the violations was presented and an opportunity to dispute such evidence provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that except as amended by council, report of the Enforcement Officer of the City of Hayward Weed Abatement Program on the cost of removing weeds, rubbish, refuse, and litter from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 22, 2002, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.



IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_ , 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward